

MINUTESPLAINTIFF'S
EXHIBIT**116**

**WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 5, 2018**

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 5th day of September 2018 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Waller County Judge Trey Duhon at 9:00 a.m. with the following members of the Court present to-wit:

Carbett "Trey" J. Duhon III, County Judge
John A. Amsler, Commissioner Precinct 1
Russell Klecka, Commissioner Precinct 2
Jeron Barnett, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk

Delivery of Invocation by: Commissioner Amsler

Pledge to the American Flag and Texas Flag led by: Commissioner Barnett

1. Approval of Agenda.

Motion to **approve** agenda by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT – None

CONSENT AGENDA

Items identified within the consent agenda are of a routine nature, and will be passed with one vote without being discussed separately. If a member of the court or public requests that a particular item be discussed, that agenda item will be pulled from the Consent Agenda and discussed as part of the regular agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.

2. Approval of the minutes – August 29, 2018 Regular Session

3. Request to approve payment on the following:

- (a) \$2,887.00 for invoice # AH017684, \$3,022.00 for invoice # AH017685 and \$2,887.00 for invoice # AH017698 for a total of \$8,796.00 to Harris County Treasurer from line item 125-423-540702 [Autopsy].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to **approve** consent agenda items by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PROCLAMATION

- 5. Discuss and take action to approve the Proclamation designating Waller County as a Purple Heart County.**

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC HEARING

6. Public Hearing – Proposed Tax Rate, first hearing.

Judge Duhon announced the Waller County Commissioners are proposing to adopt a total tax rate of **\$.686856** cents per \$100 valuation, the same rate being a combination of rates for the Waller County General Fund rate of **\$.577765** and the Farm to Market Flood control rate of **\$.032878** and to the Debt Service Fund rate of **\$.076213**.

Public Hearing began at 9:13 a.m.

No public comments received.

Public Hearing ended at 9:13 a.m.

Commissioners Court will vote on the proposed tax rate on September 19, 2018 at 9:00 a.m. at its meeting place in the Waller County Courthouse located at 836 Austin Street, Hempstead, Texas.

COMMISSIONER PRECINCT 3

7. **Presentation** of a future County Park by Adam McGovern with EHRA Engineering.

No action required.

COUNTY JUDGE

8. Discuss and take action to Order the General Election to be held on November 6, 2018.

Motion to **order** the General Election by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

9. Discuss and take action to approve a variance request to the Subdivision and Development Regulations, Engineering Design Standards, Section 2, Lot size, regarding the minimum lot size per dwelling, by Ms. Letitia Duncan.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion FAILED – Variance Denied.

Judge Trey Duhon – No

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – No

Commissioner Beckendorff – No

10. ~~Discuss and take action to approve the Infrastructure Development Plan of The Haven RV Park. Item WITHDRAWN.~~

AUDITOR

11. Discuss and take action to approve line item transfers.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

12. Discuss and take action to amend the 2018 Budget to accommodate the remaining balance of \$12,500.00 from the Charitable Activities/Initiatives Contract with Prairie View A&M.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Klecka – Yes
 Commissioner Barnett – Yes Commissioner Beckendorff – Yes

13. **Spread** upon the minutes the Certification of Funds for Constable, Precinct 4, 2017 LEOSE Funds in the amount of \$683.00. *No action required.*

14. Discuss and take action to amend the 2018 Budget to accommodate Constable, Precinct 4, 2017 LEOSE Funds.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Klecka – Yes
 Commissioner Barnett – Yes Commissioner Beckendorff – Yes

SHERIFF

15. Discuss and take action to approve leasing 13 vehicles with Enterprise Fleet Management.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Klecka – Yes
 Commissioner Barnett – Yes Commissioner Beckendorff – Yes

MISCELLANEOUS

16. Discuss and take action to rescind Burn Ban.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Klecka – Yes
 Commissioner Barnett – Yes Commissioner Beckendorff – Yes

17. Discuss and take action to approve the Optional Fees for Calendar year 2019.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Klecka – Yes
 Commissioner Barnett – Yes Commissioner Beckendorff – Yes

18. Discuss and take action to approve Designation of Representatives for Houston-Galveston Area Council 2019 General Assembly and Board of Directors.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett by keeping Judge Trey Duhon as Representative, General Assembly and Delegate, Board of Directors; Commissioner Justin Beckendorff as Representative, General Assembly and Alternate, Board of Directors; Commissioner John Amsler as Alternate, General Assembly; and leave the second position for Alternate, General Assembly vacant at this time.

Amendment carried.

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

19. ~~Discuss and take action to deliberate business and financial issues in executive session based on determination and recommendation from the District Attorney's Office that deliberation in an open meeting regarding business and financial issues related to purchasing or leasing real property in Precinct 1 would have a detrimental effect on the position of the County in negotiations with third persons. Item WITHDRAWN.~~

EXECUTIVE SESSION

Court convened to Executive Session at 10:11 a.m.

20. ~~Deliberate business and financial issues related to purchasing or leasing real property in Precinct 1 pursuant to Government Code Sections 551.072 and 551.0725.~~
Item WITHDRAWN.

21. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

22. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Court reconvened from Executive Session at 10:34 a.m.

No action take from Executive Session.

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

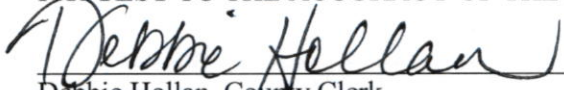
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

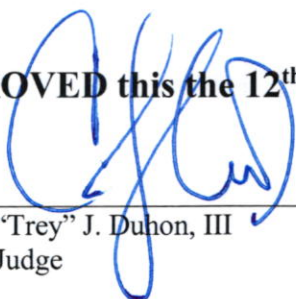
Meeting was **ADJOURNED** at 10:34 a.m.

I ATTEST TO THE ACCURACY OF THE FORGOING MINUTES:


Debbie Hollan, County Clerk
And Ex-Officio Clerk of the Commissioners'
Court of Waller County, Texas



APPROVED this the 12th day of September 2018.


Carbett "Trey" J. Duhon, III
County Judge